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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91243494
Party	Defendant Jihai Technology (Shenzhen) Co., Ltd
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Attachments	Motion to Amend Application and Conditional Motion to Dismiss Opposition.pdf(205628 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

ICON HEALTH & FITNESS, INC.,

Opposer,

v.

JIHAI TECHNOLOGY (SHENZHEN)
CO., LTD,

Applicant.

Opposition No. 91243494

Application No. 87/620,524

**STIPULATED MOTION TO AMEND TRADEMARK APPLICATION AND
CONDITIONAL STIPULATED MOTION TO DISMISS OPPOSITION PROCEEDING**

I. STIPULATED MOTION TO AMEND TRADEMARK APPLICATION

Applicant hereby moves the Board to amend the description of goods for U.S. Trademark Application Serial No. 87/620,524 (the “Application”). On August 30, 2018, the present Opposition Proceeding regarding the Application was instituted by Opposer with the United States Trademark Trial and Appeal Board (the “Board”). Since the institution of this Opposition Proceeding, Applicant and Opposer have engaged in settlement discussions. Applicant has agreed, and Opposer hereby consents, that Applicant shall amend the description of goods as follows:

~~Battery chargers for use with telephones; Cabinets for loudspeakers; Car video recorders; Cases for mobile phones; Cell phone covers; Computer peripheral devices; Document printers for use with computers; Earphones; Network routers; Pedometers; Rechargeable batteries; Scanners; Sound recording apparatus; Stands adapted for mobile phones; Video baby monitors; Video projectors; Weighing scales; Wireless chargers; Wireless headsets for smartphones~~

Applicant therefore respectfully requests that the Application be amended to delete all of the goods shown in red strikethrough above and that the amended description of goods for the Application be as follows: “Car video recorders; Document printers for use with computer;

Newwork routers.” Opposer hereby stipulates and consents to those amendments. Applicant respectfully submits that the proposed amendments to the description of goods in the Application comply with all other applicable rules and statutory provisions, including 37 C.F.R. § 2.71.

II. CONDITIONAL STIPULATED MOTION TO DISMISS OPPOSITION

Conditioned upon entry of the amendments to the description of goods in the Application by the United States Patent and Trademark Office as set forth above, Applicant and Opposer hereby consent to and request the dismissal of this Opposition Proceeding without prejudice.

WHEREFORE, Applicant and Opposer respectfully request that the Board grant this stipulated motion to amend the descriptions of goods in U.S. Trademark Application Serial No. 87/620,524 as set forth above and then dismiss this Opposition Proceeding without prejudice.

Respectfully submitted,

Applicant Jihai Technology (Shenzhen) Co., Ltd.

By: s/Wang Zhonglin/

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CERTIFICATE OF SERVICE

I certify that, on November 14, 2108, I caused a true and correct copy of this **STIPULATED MOTION TO AMEND TRADEMARK APPLICATION AND CONDITIONAL STIPULATED MOTION TO DISMISS OPPOSITION PROCEEDING** to be served by email on the following:

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